Recidivism of the Institutional and Supervised Offender Population

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Contents

1. Recidivism Measurement

Recidivism is the recording of unfavorable events after an offender has been released from prison or has started supervision in the community. The standard measure is to record the first unfavorable event and relate it to the time from release or start of supervision. For example, to calculate a three-year recidivism rate at the end of this past state fiscal year (FY2024), you must examine individuals exiting prison or entering probation supervision during state fiscal year 2021. The events recorded in this report following a release from prison or start of supervision are:

1. The first incarceration for a violation of the supervision or a new prison sentence.

2. The first new prison sentence, which includes court ordered 120-day or long-term drug sentences.

3. The first new sentence, either prison or probation. A new probation sentence would not result in an incarceration unless the probation was later revoked.

The different measures are recorded independently. For example, if an offender was first revoked for a technical violation of supervision, re-released and then commits a new offense and sentenced to prison, the first incarceration would be recorded under measure 1 and the second incarceration under measure 2, however after first revocation, subsequent admissions to prison on the same sentence are not counted as additional recidivism because the first recidivism event has been counted. Although the three measures are calculated independently there is a time bias in calculating the new sentence rates. When offenders are on supervision, they are more likely to be incarcerated for technical violations, which means they cannot commit new offenses until they are re-released. New sentence recidivism rates are, therefore, most useful after two or three years.

The data for the calculation of the recidivism rates are taken from the DOC offender database. The DOC incarcerates only for felonies and supervises offenders on probation for a limited number of misdemeanor offenses. Offenders serving misdemeanor offenses who are revoked will be incarcerated in a county or city jail but are included in the statistics. New offenses are felonies and misdemeanors that the DOC supervises sentenced in a Missouri court. Offenses committed in other states will not be included in the analysis.

On January 1st 2017 Missouri implemented a revision to the criminal code. The revision included the creation of a new class C felony, which required the renaming of the class C and D felonies to D and E felonies. The revision had been enacted in the 2014 legislative session, but the change was delayed to allow for the creation of new charge codes for the existing class C and D felonies. The changes were made to the sentencing of offenses that were committed after January 1st 2017. In the presentation of tables in the FY2024 Recidivism Report that include the felony class, for simplicity and clarity, the felony class of all the sentences has been converted to the felony class of the 2014 revision.

2. National comparison of recidivism rates

The latest statistics of recidivism published by the Bureau of Justice Statistics is an analysis of state prisoner release records from FY2012 by the National Corrections Reporting Program,

which includes Missouri. The report showed that nearly half of all releasees (46.0%) had returned to prison within five years of release (i.e., by the end of FY2017). At that time, Missouri's rate was slightly higher than this figure, however, since FY2017 our recidivism rate has been declining. There are no national measurements of probation recidivism.

3. Institutional first releases

Institutional first releases are: 1) releases to parole, 2) conditional release; 3) releases on completion of a sentence. Excluded are the releases of parole violators who have been returned on the same sentence.

3.1 Recidivism over time (FY2015-FY2024)

Recidivism is a cumulative measure which increases over time. For the first incarceration it increases from 6.3% after six months to 40.9% after five years. The rate of recidivism increase is greatest from six months to 12 months after release. For new sentence recidivism, the rates are low until two years after release and then both rates begin to increase.

Table 1: Average Recidivism Rates: Prison Releases

	Percent Returned within				
	6 months	1 year	2 years	3 years	5 years
First return	6.3%	15.5%	28.6%	34.4%	40.9%
New prison sentence	0.4%	2.2%	7.0%	11.0%	16.9%
New sentence	1.5%	2.9%	9.6%	16.1%	26.2%

3.2 Three Year Recidivism Rates: Prison releases

Over the last decade the percentage decrease in the first return recidivism is 32.5%, for the first new prison sentence it is 21.3% and for the new sentence it is 9.0%. The decrease began in FY2016 and is attributed in part to fewer field violations, which has led to fewer revocations. The decrease may now be levelling off.

Table 2: Three Year Recidivism Rates: Prison Releases

Released	First Return	First Prison Sentence	First Sentence
FY2015	42.9%	12.9%	17.3%
FY2016	40.8%	13.0%	18.0%
FY2017	37.2%	11.8%	17.1%
FY2018	32.0%	10.4%	15.7%
FY2019	29.5%	9.4%	14.7%
FY2020	29.2%	9.4%	14.5%
FY2021	28.9%	10.1%	15.8%
Percent change from FY2015			
	-32.5%	-21.3%	-9.0%

Figure 1: Three Year Recidivism Rates: Prison Releases

Legend:
- First return for violation of supervision or new prison sentence
- First return for new prison sentence
- First return for new sentence (prison or probation)
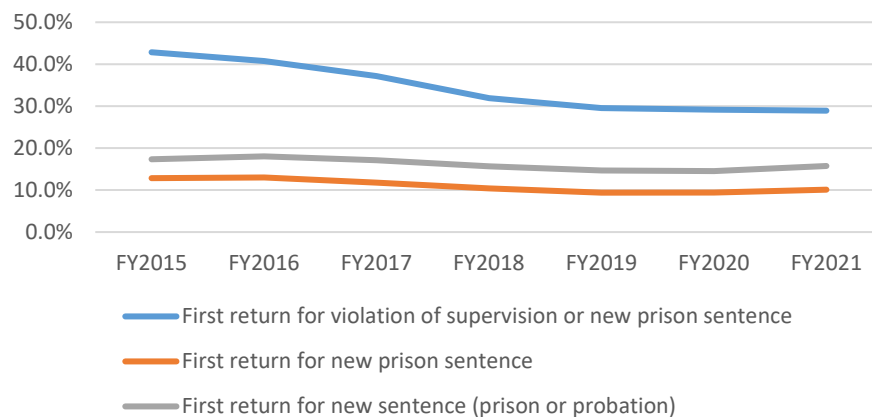
3.3 Gender

Female offenders have lower recidivism than males and this applies to all three recidivism measures and is found consistently across all types of recidivism measurement, including when adjusting for risk. The percentage reduction in recidivism over the last decade is also greater for females than for males (-43.5% compared to -30.7%, -43.2% compared to -17.9%, and -22.0% compared to -6.8%, respectively).

Table 3: Three Year Recidivism Rates by Gender: Prison Releases

Released	First return		First prison sentence		First sentence	
	Females	Males	Females	Males	Females	Males
FY2015	40.3%	43.3%	11.8%	13.1%	17.3%	17.3%
FY2016	35.5%	41.7%	9.5%	13.6%	15.9%	18.4%
FY2017	34.3%	37.7%	7.9%	12.5%	12.9%	17.8%
FY2018	24.1%	33.4%	6.0%	11.2%	12.7%	16.3%
FY2019	21.8%	31.0%	5.9%	10.1%	11.0%	15.4%
FY2020	23.2%	30.2%	8.1%	9.6%	12.7%	14.8%
FY2021	22.8%	30.0%	6.7%	10.7%	13.5%	16.2%
Percent change from FY2015						
	-43.5%	-30.7%	-43.2%	-17.9%	-22.0%	-6.8%

3.4 Offense Group

Nonviolent and drug offenders have the highest recidivism rates, with violent offenders third. DWI and sex and child abuse offenders have much lower recidivism rates. Still, compared to releasees in FY2015, releasees in FY2021 had three-year recidivism rates that were significantly lower than they were less than a decade ago in all crime categories.

There can be many reasons for the differences in recidivism by type of offense but four are notable: First, violent and sex offenders, because they generally serve long sentences, may be older on release and, therefore, less likely to recidivate. Second, DWI and sex offenders have

higher specialization ratios, in that they are more likely to commit the same type of offense. Third, offenders serving drug and nonviolent offenses are generally released to serve the longest part of their sentence on supervision and, therefore, are subject to revocation for technical offenses for longer. Fourth, individuals convicted of driving while impaired and sex offenses often have higher educational attainment and employment experience compared to individuals in other crime groups, both of which are commonly considered protective factors against future recidivism.

Table 4: Three Year Recidivism Rates by Offense Group: Prison Releases

Released	Drugs	DWI	Nonviolent	Sex & Child Abuse	Violent
FY2015	46.0%	20.9%	49.6%	26.6%	38.0%
FY2016	46.8%	22.5%	47.4%	23.0%	32.7%
FY2017	39.7%	15.2%	44.2%	20.5%	31.8%
FY2018	32.6%	14.4%	38.1%	17.8%	28.6%
FY2019	30.4%	14.5%	36.2%	17.3%	24.4%
FY2020	30.6%	11.0%	36.5%	13.0%	25.8%
FY2021	30.4%	17.1%	37.6%	13.5%	25.9%
Percent change from FY2015					
	-33.9%	-18.0%	-24.3%	-49.4%	-31.7%

3.5 Felony class

The recidivism by felony class generally decreases as the severity of the offense increases. Class A felonies have the lowest recidivism (12.7% after three years for those exiting during FY2021). Class D and E felonies are largely nonviolent and drugs and have the highest recidivism rates (34.0% and 37.4%, respectively). Most unclassified felonies are sex offenses that have sentencing restrictions that do not meet the felony class sentencing standards and their rates are the lowest (12.2%). The most populous offense is drug distribution, which was a class B offense before the revision to the criminal code.

Table 5: Three Year Recidivism Rates by Felony Class: Prison Releases

Released	A	B	C	D	E	Unclassified
FY2015	25.0%	39.0%		47.6%	41.4%	21.8%
FY2016	15.7%	36.2%		46.8%	39.4%	15.9%
FY2017	17.9%	30.4%		42.3%	36.6%	16.2%
FY2018	17.1%	26.8%	18.8%	36.0%	30.4%	17.7%
FY2019	14.0%	25.6%	27.9%	33.0%	28.7%	14.9%
FY2020	15.1%	23.7%	26.5%	33.4%	30.4%	7.1%
FY2021	12.7%	20.9%	15.2%	34.0%	37.4%	12.2%
Percent change from FY2015						
	-49.4%	-46.3%	-45.5%	-28.5%	-9.6%	-43.8%

4. Recidivism rates of offenders serving probation sentences

Recidivism rates in this section refer to offenders sentenced to a new probation and offenders sentenced by the courts to a 120-day or long-term drug program and released to probation. The 120-day programs include drug treatment, short-term cognitive program, and the sex offender assessment unit. Offenders with sex or serious violent offenses are excluded from institutional treatment or short-term cognitive probation programs.

4.1 Recidivism over time (FY2015-FY2024)

For the first incarceration of offenders sentenced to probation recidivism increases from 4.1% after six months to 31.2% after five years. The rate of increase in recidivism is greatest from six months to 12 months after release. For new sentence recidivism the rates are low until two years from the start of supervision and then begin to increase to 12.1% after five years for new prison sentences and 22.0% for all new sentences.

For the first incarceration of offenders sentenced to 120-day or long-term drug treatment the recidivism increases from 3.8% after six months to 42.9% after five years. The rate of increase is greatest from 6 months through the first year after release. For new sentence recidivism the rates are low until two years from the start of supervision and then begin to increase to 20.3% after five years for new prison sentences and 28.5% for all new sentences.

Table 6: Average recidivism: Probation sentences, 120-day and long-term drug releases

	Percent Incarcerated within				
	6 months	1 year	2 years	3 years	5 years
New Probation					
First incarceration	4.1%	10.6%	20.0%	25.8%	31.2%
New prison sentence	0.7%	2.3%	5.7%	8.5%	12.1%
New sentence	1.2%	4.0%	9.9%	14.9%	22.0%
120-Day and Long-term drug releases					
First incarceration	3.8%	12.5%	27.5%	35.8%	42.9%
New prison sentence	0.7%	3.3%	10.0%	14.4%	20.3%
New sentence	1.1%	4.5%	13.2%	19.2%	28.5%

Probation recidivism rates are the lowest. Initially recidivism of offenders released from 120-day and long-term drug programs are similar to probation recidivism but after two years recidivism has increased, and the rates are similar to first releases from prison.

As with first releases, there have also been similar decreases in recidivism in probation openings in the last decade, most notably from FY2016. The recidivism for first incarceration has been reduced by 28.4%. There has been a smaller decrease in the recidivism of 120-day and long-term drug releases (-18.9%). In recent years there has been little change in recidivism.

Table 7: Three Year Recidivism Rates: Probation Sentences

	New Probation			120-day/Long term drug		
	First Incarceration	First Prison Sentence	First Sentence	First Incarceration	First Prison Sentence	First Sentence
FY2015	29.6%	9.5%	16.0%	39.6%	14.7%	18.8%
FY2016	30.2%	9.9%	16.4%	41.8%	16.9%	21.6%
FY2017	28.9%	9.1%	15.5%	37.2%	14.5%	19.3%
FY2018	25.0%	8.0%	14.4%	33.8%	13.9%	18.6%
FY2019	21.9%	7.3%	13.3%	32.2%	13.5%	18.8%
FY2020	21.3%	7.6%	13.8%	29.3%	12.7%	18.4%
FY2021	21.2%	7.1%	14.0%	32.1%	14.0%	18.2%
Percent change from FY2015						
	-28.4%	-24.8%	-12.1%	-18.9%	-5.0%	-3.4%

4.2 Gender

Female offenders have lower recidivism than males and this applies to all three recidivism measures. The percentage reduction in recidivism since FY2014 for the three recidivism measures in FY2024 is greater for females than for males (-32.1% compared to -23.6%, -22.2% compared to -12.7%, and -8.6% compared to -7.7%, respectively).

Females who complete institutional treatment programs generally have lower recidivism rates than males but there has been little change in recidivism rates in recent years and with the smaller number of females in recent years completing institutional treatment programs there has been more variation in recidivism rates.

Table 8: Three Year Recidivism Rates by Gender: Probation Sentences

	First incarceration		First-prison sentence		First sentence	
	Females	Males	Females	Males	Females	Males
FY2015	27.3%	30.4%	6.5%	10.7%	13.6%	16.9%
FY2016	27.3%	31.3%	6.7%	11.2%	13.6%	17.5%
FY2017	27.4%	29.5%	6.8%	10.0%	13.0%	16.6%
FY2018	22.9%	25.7%	5.3%	9.1%	11.6%	15.5%
FY2019	19.6%	22.8%	4.8%	8.3%	11.0%	14.3%
FY2020	18.4%	22.3%	5.1%	8.6%	11.7%	14.6%
FY2021	18.5%	22.2%	4.7%	8.1%	11.4%	15.1%
Percent change from FY2015						
	-32.2%	-27.0%	-27.7%	-23.9%	-16.1%	-10.7%

Table 9: Three Year Recidivism Rates by Gender: Treatment Exits

Released	First incarceration		First prison sentence		First sentence	
	Females	Males	Females	Males	Females	Males
FY2015	36.5%	40.2%	11.8%	15.3%	16.4%	19.3%
FY2016	43.1%	41.5%	15.0%	17.3%	19.4%	22.0%
FY2017	32.7%	38.2%	9.7%	15.6%	14.5%	20.3%
FY2018	29.9%	34.8%	8.6%	15.2%	14.4%	19.6%
FY2019	29.4%	32.8%	9.3%	14.3%	13.7%	19.8%
FY2020	28.3%	29.4%	9.4%	13.3%	17.6%	18.5%
FY2021	38.2%	31.0%	10.8%	14.6%	13.7%	19.0%
Percent change from FY2015						
	4.8%	-23.0%	-8.6%	-4.7%	-16.0%	-1.5%

4.3 Offense Group

Unlike first releases from prison, probationers with violent and sex/child abuse offenses have recidivism rates similar to drug and nonviolent offenders. The higher recidivism is attributed to a higher rate of technical revocations while on probation.

Individuals exiting 120-day or long-term drug treatment programs (see Table 11) have higher rates of recidivism within offense groups. They have also generally seen less impressive declines in rates over the period of review. This is particularly true for individuals exiting a treatment program with a conviction for DWI, Nonviolent, or Sex offenses. These differences may be driven, in part, by the serious nature of their substance use disorder, which is commonly considered one of many risk factors for recidivism.

Table 10: Three Year Recidivism Rates by Offense Group: Probation Sentences

	Drugs	DWI	Nonviolent	Sex & Child Abuse	Violent
FY2015	30.5%	14.3%	31.6%	21.9%	31.5%
FY2016	32.2%	13.3%	30.9%	27.5%	32.9%
FY2017	29.2%	12.7%	31.4%	20.5%	30.0%
FY2018	26.0%	9.9%	26.5%	20.4%	26.2%
FY2019	21.9%	9.7%	24.2%	15.0%	23.2%
FY2020	22.3%	9.0%	23.3%	15.5%	21.1%
FY2021	20.8%	10.2%	23.6%	17.6%	22.4%
Percent change from FY2015					
	-32.0%	-28.7%	-25.1%	-19.6%	-29.1%

Table 11: Three Year Recidivism Rates by Offense Group: Treatment Exits

	Drugs	DWI	Nonviolent	Sex & Child Abuse	Violent
FY2015	41.6%	16.7%	52.0%	31.4%	37.3%
FY2016	46.6%	15.7%	52.1%	27.1%	41.4%
FY2017	40.1%	15.4%	48.5%	18.9%	35.5%
FY2018	38.1%	14.5%	40.6%	16.3%	30.8%
FY2019	33.5%	18.9%	40.8%	24.1%	26.6%
FY2020	30.3%	16.8%	40.5%	18.3%	21.5%
FY2021	36.5%	14.8%	38.5%	22.2%	28.9%
Percent change from FY2015					
	-12.1%	-11.2%	-26.0%	-29.3%	-22.4%

4.4 Felony class

The recidivism rates of class A felonies with probation sentences are highest, but also similar to some lower classes. Nevertheless, there has been a 31.6% reduction in the recidivism rates of class A felony probationers in the last 10 years. Differences in recidivism rates by felony class between straight probation sentences and individuals exiting a court-ordered treatment program to probation are stark. Except for the highest felony level (A) the recidivism rates are significantly higher for individuals exiting a treatment program to probation.

Table 12: Three Year Recidivism Rates by Felony Class: Probation Sentences

	A	B	C	D	E
New Probation					
FY2015	32.4%	23.9%		31.8%	24.9%
FY2016	29.4%	28.0%		32.1%	25.1%
FY2017	26.3%	24.7%	27.7%	30.7%	24.2%
FY2018	24.6%	20.7%	19.6%	26.4%	22.5%
FY2019	19.7%	17.2%	16.8%	23.1%	20.0%
FY2020	16.3%	18.2%	14.4%	22.9%	19.4%
FY2021	22.1%	19.6%	13.2%	22.7%	18.8%
Percent change from FY2015					
	-31.6%	-18.1%	-32.8%	-28.8%	-24.5%

Table 13: Three Year Recidivism Rates by Felony Class: Treatment Exits

	A	B	C	D	E
FY2015	40.0%	33.3%		42.1%	39.7%
FY2016	28.0%	39.7%		44.8%	33.0%
FY2017	36.0%	33.9%		38.5%	38.1%
FY2018	29.6%	24.7%	42.3%	35.8%	34.5%
FY2019	16.1%	22.5%	26.5%	35.7%	33.5%
FY2020	14.3%	20.6%	22.2%	32.9%	27.1%
FY2021	11.1%	33.3%	26.5%	33.1%	34.3%
Percent change from FY2015					
	-72.2%	0.2%	0.1%	-21.4%	-13.6%

5. Summary

Recidivism is a common corrections outcome metric measured throughout jurisdictions. While there is significant variation in how the metric is constructed and the timeframe over which the outcome is measured, common measures of returns to incarceration, new convictions with a return to prison, and new convictions are found throughout the criminal justice system. In this report, we focus on three-year outcomes for offenders exiting prison or entering probation.

Utilizing administrative data from 07/01/2015 through 06/30/2021 (state fiscal years 2015 – 2021), there was a 32.5% decrease in returns to prison, a 28.4% decrease in incarceration by offenders starting a new probation and a 18.9% reduction in incarceration by offenders released from a 120-day or long-term drug program.

The decrease in recidivism began in FY2016 and has been associated with a decrease in field violations resulting in fewer revocations. However, during this time-period there have been two significant events that have impacted the institutional population and possibly recidivism. Since 2017 the institutional population has been reduced by over 8,000 because of fewer admissions, which is partly the effect of a revision to the Missouri criminal code on felony sentencing (effective in 2017). In addition, COVID pandemic restrictions impacted sentencing and other activities related to the criminal justice system during FY2020, FY2021, and FY2022. While the decline in admissions is slowing there is a continuing decline in the rate of field violations.